



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. 04-44

Date: July 14, 2004

Application No. 200401274

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214 (ATTN: K. Wade Whittinghill)

PUBLIC NOTICE US ARMY CORPS OF ENGINEERS

SUBJECT: Unauthorized Discharge of Fill Material into Waters of the United States Associated with the Recent Replacement of a Launching Ramp and the Addition of an Accessible Fishing Berm/Breakwater Jetty at the Camden Landing Lake Access Area, Tennessee River Mile 102.7, Left Bank

TO ALL CONCERNED: An application has been submitted after-the-fact for a Department of Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA).

APPLICANT: Tennessee Wildlife Resources Agency
Ellington Agricultural Center
PO Box No. 40747
Nashville, Tennessee 37204

LOCATION: Tennessee River Mile 102.7, Left Bank (Kentucky Lake) at the Camden Landing Lake Access Area in Benton County, TN - USGS Map: Rockport, TN (LAT:35°-59'-25.3680"/LONG: 88°-00'-36.5040"). See location map (Exhibit A).

DESCRIPTION: The unauthorized discharge addressed above consists of 590 cubic yards of fill material below Kentucky Lake's normal summer pool elevation (NSPE), 359 feet. Construction of the berm/breakwater jetty involved 480 cubic yards and the replacement/construction of the launching ramp involved 110 cubic yards. Approximately 5,035 cubic yards of fill material was placed above the lake's NSPE to elevate and expand the size of the parking lot. This material is not unauthorized. See application narrative and plans (Exhibit B).

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably has been determined to have accrued from the work must be balanced against its detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general

environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared prior to a final decision concerning issuance or denial of the requested DA permit.

Mr. Herbert L. Harper, State Historic Preservation Officer, stated in a letter dated July 18, 2003 to the applicant that the then proposed work would not affect National Register of Historic Places listed or eligible properties.

Mr. Lee Barclay, US Fish and Wildlife Service, stated in a letter dated August 22, 2003 to the applicant that, based on available collection records, the then proposed work would have no impact on federally-listed or proposed endangered or threatened species

Other federal, state, and local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing shall include specific reasons for said request.

Written statements received in this office on or before August 13, 2004 will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: K. Wade Whittinghill, at the above address or telephone (615) 369-7511.

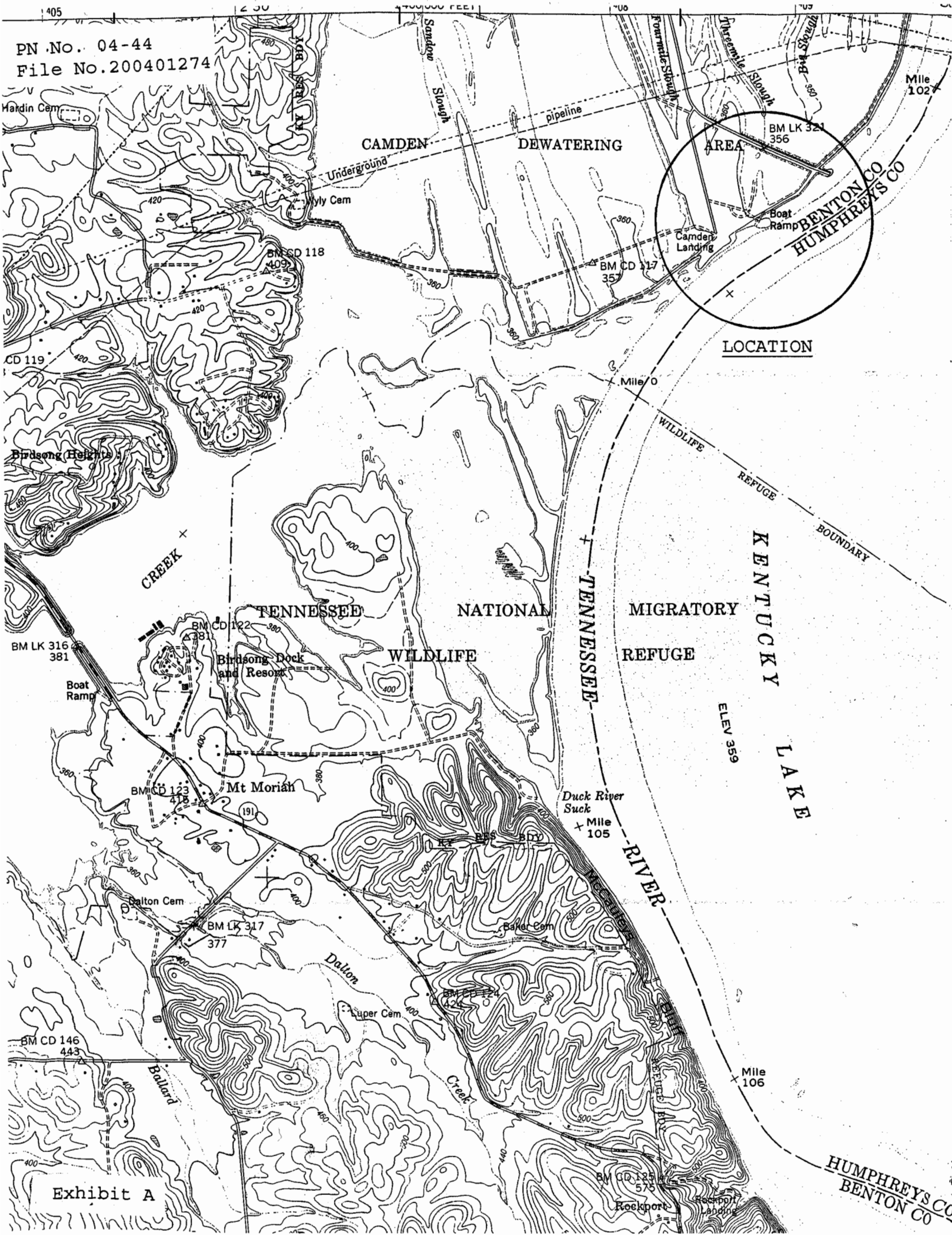


Exhibit A

APPLICATION FOR

Department of the Army (DA) Permit and/or Tennessee Valley Authority (TVA) Section 26a Approval

The Department of the Army (DA) permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (P.L. 95-217). These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or waters of the United States. Section 26a of the Tennessee Valley Authority Act, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA)

Name and Address of Applicant

Tennessee Wildlife Resources Agency
Attn: Mr. Les Haun
P.O. Box 40747
Nashville, TN 37204

Telephone Number

Home

Office (615) 781-6545

Name, Address, and Title of Authorized Agent

Mr. Les Haun, Chief
TWRA Engineering Division
P.O. Box 40747
Nashville, TN 37204

Telephone Number

Contact: Ed Coppinger

Office (615) 781-6545

Location where activity exists or will occur (include stream name and mile, if known)

Camden Landing Access Area
Camden Dewatering Area
Tennessee River Mile 102.7L
Benton County, Tennessee
Quad Sheet 21-NE

Application submitted to

DA Yes X No TVA Yes X No

Date activity is proposed to commence February, 2004

Date activity is proposed to be completed May, 2004

Describe in detail the proposed activity, its purpose and intended use (private, public, commercial, or other). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

TWRA began work in February by upgrading the Camden Landing ramp and parking lot as a maintenance activity. However, as work progressed the scope and volume of work increased. The existing 45-foot wide public ramp was removed and replaced with a new 30-foot wide ramp at a 14.0% slope. The old ramp was removed and the new one was poured "in the dry" and pushed into place. The parking area was enlarged and the elevation was built up to reduce severe ongoing damage by floodwaters of Kentucky Lake. A previously approved courtesy dock that had been removed three years ago was replaced with a new 90-foot rockfill jetty / accessible fishing berm. Total fill, mainly on the parking lot was approximately 5,625 cubic yards of earthfill, stone, chert and concrete. Net fill below normal full pool elevation 359 was approximately 590 cubic yards comprised of 480 cu. yds. for the jetty and 110 cu. yds. for the ramp area. Total fill east of the centerline of the levee was approx. 655 cu. yds. for the jetty and 1490 cu.yds. for the ramp, parking and bank stabilization. All fill material east of the centerline of the levee was purchased commercially and placed by TWRA equipment and labor. Fill for the parking lot west of the centerline of the levee was made up of approx. 580 cu. yds. of earthfill moved within the flood zone and approx. 2900 cu. yds. of chert and limestone purchased commercially.

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I agree that, if this application is approved by TVA, I will comply with the attached terms and conditions and any special conditions that may be imposed by TVA at the time of approval. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions.

June 2, 2004

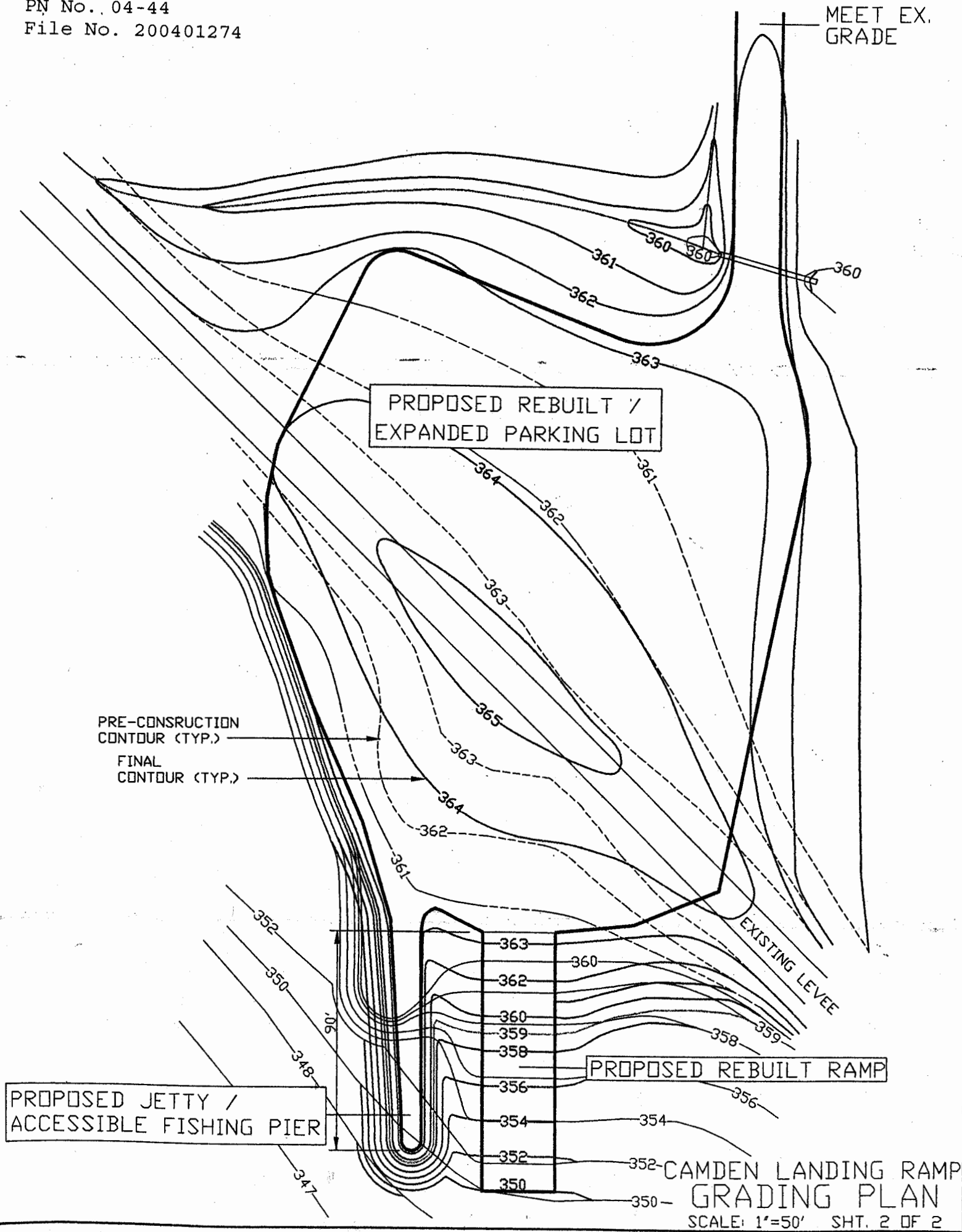
Date

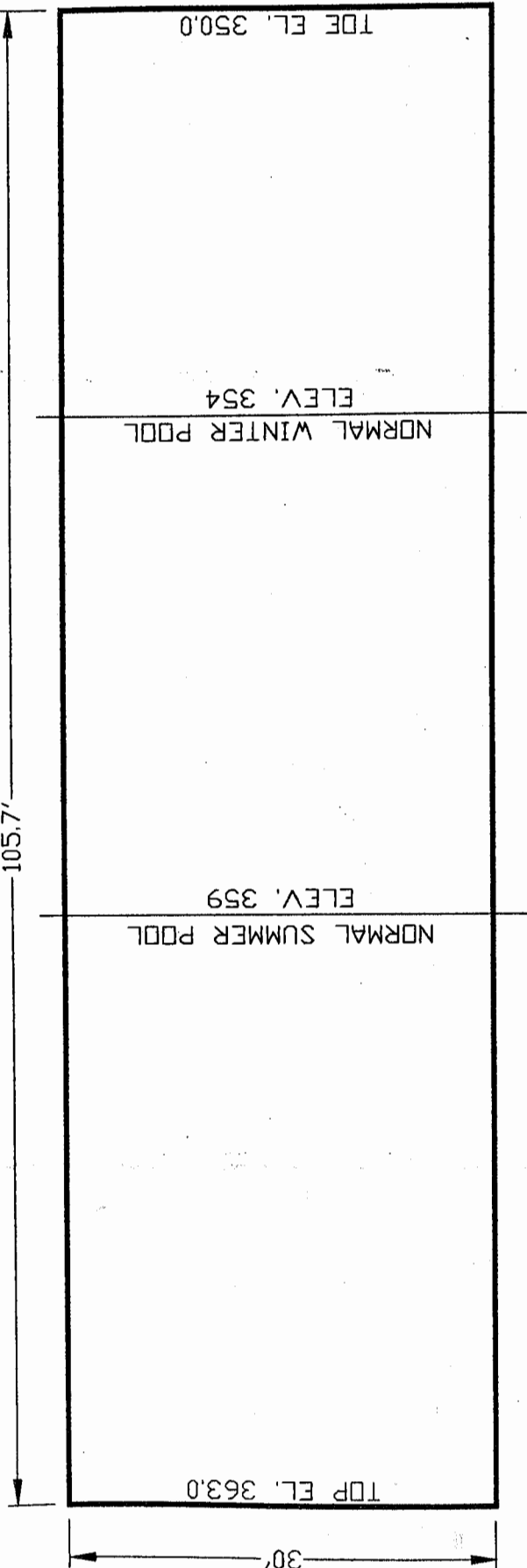
Les Haun^{EC}

Signature of Applicant

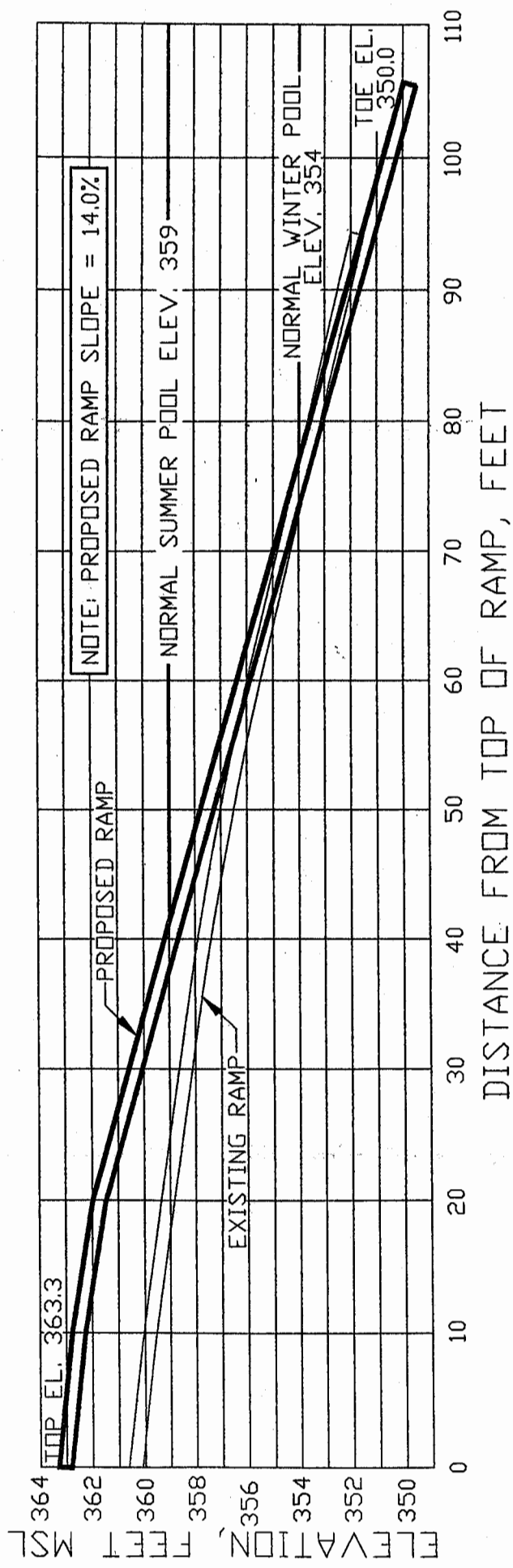
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 imprisoned not more than five years, or both. The appropriate DA fee will be assessed when a permit is issued.

MEET EX.
GRADE





PLAN



CROSS SECTION

CAMDEN LANDING RAMP
PLAN AND
CROSS SECTION
SCALE AS SHOWN SHT. 1 OF 2